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09/913,586	01/25/2002	Toshihiro Morita	275735US6PCT	4193

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EXAMINER
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NOTIFICATION DATE	DELIVERY MODE
03/16/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2009</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>50-86</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>50-86</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed on 12/1/09. Claims 43-49 are

canceled. Claims 50-86 are added. Claims 50-86 are presented for examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 50-53, 60-61, 64-65, 68-71, 78-79, & 82-83 are rejected under 35

U.S.C. 102(e) as being anticipated by Uyehara U.S. Patent No. 6,154,214.

4.   As to claim 50, Uyehara teaches an information processing apparatus,

comprising:

        a communication unit configured to communicate with a portable device for

playing content data (Uyehara, col 2, lines 25-35; i.e., when a communication links is

established between the device and the computer, automatically transferred the content

into the devices); and

        a control unit configured to detect a connection between the information

processing apparatus and the portable device via the communication unit (Uyehara, col

11, lines 32-35; i.e., detecting the connection when the device is place into the cradle), and

to activate automatically a predetermined application installed in the information processing apparatus when the connection is detected (Uyehara, col 10, lines 20-25; i.e., automatically upload to the PC once detected the communication between the PC and devices);

wherein said predetermined application is configured to transfer the content data between the portable device and the information processing apparatus, and to play the content data (Uyehara, col 8, lines 63 – col 9, lines 5; i.e., transferred the content into the device which includes the audio data or video for later play back).

5.   As to claim 51, Uyehara teaches the information processing apparatus as recited in claim 50, wherein based on the activated application, said control unit

controls the communication unit to receive associated information of the content data from the portable device (Uyehara, col 4, lines 27-38; i.e., controlling the downloading information based on the user profile), and

controls a display unit to display said associated information (Uyehara, col 12, lines 35-50; i.e., enable user to customized the display).

6.   As to claim 52, Uyehara teaches the information processing apparatus as recited in claim 50, wherein based on the activated application, said control unit controls the communication unit to transfer the content data from the information processing apparatus to the portable device (Uyehara, col 4, lines 27-38; i.e., downloading the content based on the user profile).

7.   As to claim 53, Uyehara teaches the information processing apparatus as recited in claim 52, wherein based on the activated application, said control unit controls the transferring of the content data without regard to a user input (Uyehara, col 2, lines 25-35; i.e., automatically downloading free titles into the device).

8.   As to claim 60, Uyehara teaches the information processing apparatus as recited in claim 50, wherein based on the activated application, said control unit controls a different communication unit to download the content data from a web server (Uyehara, figure 16; i.e., provide multiple communication such as copying, sending, emailing or faxing the content).

9.   As to claim 61, Uyehara teaches the information processing apparatus as recited in claim 60, wherein based on the activated application, said control unit controls the communication unit to transfer the downloaded content data to the portable device without regard to a user input (Uyehara, figure 16; i.e., provide multiple communication such as copying, sending, emailing or faxing the content).

10.   As to claim 64, Uyehara teaches the information processing apparatus as recited in claim 50, wherein based on the activated application, said control unit controls a display unit to display an indication that the portable device is connected to the information processing apparatus (Uyehara, figure 19; i.e., customized the display of the portable devices).

11.   As to claim 65, Uyehara teaches the information processing apparatus as recited in claim 50, wherein based on the activated application, said control unit controls

reproduction of said content data from the portable device (Uyehara, col 11, lines 55-60;

i.e., strips off the header and routes to the appropriate destinations).

12.   As to claim 68, Uyehara teaches a computer-readable storage medium

comprising:

the communication unit being configured to communicate with the portable

device (Uyehara, col 2, lines 25-35; i.e., when a communication links is established

between the device and the computer, automatically transferred the content into the

devices); and

detecting, by a control unit of the information processing apparatus, whether a

portable device for playing content data is connected to the information processing

apparatus via a communication unit (Uyehara, col 11, lines 32-35; i.e., detecting the

connection when the device is place into the cradle);

activating automatically, by the control unit of the information processing

apparatus, a predetermined application installed in the information processing

apparatus when the portable device is detected to be connected to the information

processing apparatus (Uyehara, col 10, lines 20-25; i.e., automatically upload to the PC

once detected the communication between the PC and devices);

wherein said predetermined application is configured to transfer the content data

between the portable device and the information processing apparatus, and to play the

content data (Uyehara, col 8, lines 63 – col 9, lines 5; i.e., transferred the content into

the device which includes the audio data or video for later play back).

13.   As to claim 69, Uyehara teaches the computer-readable storage medium as
recited in claim 68, further comprising:

      based on the activated application, controlling, by said control unit, the
communication unit to receive associated information of the content data from the
portable device (Uyehara, col 4, lines 27-38; i.e., controlling the downloading
information based on the user profile), and

      controlling, by said control unit, a display unit to display said associated
information (Uyehara, col 12, lines 35-50; i.e., enable user to customized the display).

14.   As to claim 70, Uyehara teaches the computer-readable storage medium as
recited in claim 68, wherein based on the activated application, controlling, by said
control unit, the communication unit to transfer the content data from the information
processing apparatus to the portable device (Uyehara, col 4, lines 27-38; i.e.,
downloading the content based on the user profile).

15.   As to claim 71, Uyehara teaches the computer-readable storage medium as
recited in claim 70, wherein based on the activated application, controlling, by said
control unit, the transferring of the content data without regard to a user input (Uyehara,
col 2, lines 25-35; i.e., automatically downloading free titles into the device).

16.   As to claim 78, Uyehara teaches the computer-readable storage medium as
recited in claim 68, wherein based on the activated application, controlling, by said
control unit, a different communication unit to download the content data from a web
server (Uyehara, figure 16; i.e., provide multiple communication such as copying,
sending, emailing or faxing the content).

17.   As to claim 79, Uyehara teaches the computer-readable storage medium as

recited in claim 78, wherein based on the activated application, controlling, by said

control unit, the communication unit to transfer the downloaded content data to the

portable device without regard to a user input (Uyehara, figure 16; i.e., provide multiple

communication such as copying, sending, emailing or faxing the content).

18.   As to claim 82, Uyehara teaches the computer-readable storage medium as

recited in claim 68, wherein based on the activated application, controlling, by said

control unit, a display unit to display an indication that the portable device is connected

to the information processing apparatus (Uyehara, figure 19; i.e., customized the display

of the portable devices).

19.   As to claim 83, Uyehara teaches the computer-readable storage medium as

recited in claim 68, wherein based on the activated application, controlling, by said

control unit, reproduction of said content data from the portable device (Uyehara, col 11,

lines 55-60; i.e., strips off the header and routes to the appropriate destinations).

20.   As to claim 86, Johnson teaches a method of an information processing

apparatus, the method comprising:

        the communication unit being configured to communicate with the portable

device (Uyehara, col 2, lines 25-35; i.e., when a communication links is established

between the device and the computer, automatically transferred the content into the

devices); and

        detecting, by a control unit of the information processing apparatus, whether a

portable device for playing content data is connected to the information processing

apparatus via a communication unit (Uyehara, col 11, lines 32-35; i.e., detecting the

connection when the device is place into the cradle);

activating automatically, by the control unit of the information processing

apparatus, a predetermined application installed in the information processing

apparatus when the portable device is detected to be connected to the information

processing apparatus (Uyehara, col 10, lines 20-25; i.e., automatically upload to the PC

once detected the communication between the PC and devices);

wherein said predetermined application is configured to transfer the content data

between the portable device and the information processing apparatus, and to play the

content data (Uyehara, col 8, lines 63 – col 9, lines 5; i.e., transferred the content into

the device which includes the audio data or video for later play back).

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

22.   Claims 54-59, 62-63, 66-67, 72-77, 80-81, 84-85 are rejected under 35

U.S.C. 103(a) as being unpatentable over Uyehara Pat. No. 6,154,214 A1 in view of

Johnson, U.S. Pub. No.2009/0030978 A1.

23.   As to claim 54, Uyehara teach the information processing apparatus as recited in

claim 50. But Uyehara failed to teach the claim limitation wherein based on the

activated application, said control unit extracts the content data to be transferred from the information processing apparatus according to a predetermined condition.

However, Johnson teaches the limitation wherein based on the activated application, said control unit extracts the content data to be transferred from the information processing apparatus according to a predetermined condition (Johnson, page 3, paragraph 36; i.e., extract web base information).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uyehara in view of Johnson so that the system would be able to extract the web-based information. One would be motivated to do so to allow a user to specify the particular content or downloaded content for later playback (see Johnson; page 1, paragraph 8).

24.   As to claim 55, Uyehara and Johnson teach the information processing apparatus as recited in claim 54, wherein the predetermined condition is related to associated information of the content data (Uyehara, col 3, lines 40-55; i.e., setting a preferable condition).

25.   As to claim 56, Uyehara and Johnson teach the information processing apparatus as recited in claim 54, wherein the predetermined condition is random (Uyehara, col 4, lines 46-50; i.e., retrieving free subscription tiles automatically).

26.   As to claim 57, Uyehara and Johnson teach the information processing apparatus as recited in claim 54, wherein the predetermined condition is stored in the portable device (Uyehara, col 4, lines 46-50; i.e., based on user's profile).

27.   As to claim 58, Uyehara teaches the information processing apparatus as recited

in claim 50. But Uyehara failed to teach the claim limitation wherein based on the

activated application, said control unit controls a reading unit to read content data from

a Compact Disc (CD), controls a compression of the read content data, and stores the

compressed content data into the information processing apparatus.

However, Johnson teaches the limitation wherein based on the activated

application, said control unit controls a reading unit to read content data from a

Compact Disc (CD) (Johnson, page 4, paragraph 11; i.e., including CD), controls a

compression of the read content data (Johnson, page 2, paragraph 13; i.e., compress

data), and stores the compressed content data into the information processing

apparatus (Johnson, page 2, paragraph 13; i.e., stores compress data).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

28.   As to claim 59, Uyehara and Johnson teach the information processing

apparatus as recited in claim 58, wherein based on the activated application, said

control unit controls the communication unit to transfer the compressed content data to

the portable device without regard to a user input (Uyehara, figure 16; i.e., transferring

content using multiple techniques).

29.   As to claim 62, Uyehara teaches the information processing apparatus as recited

in claim 52. But Uyehara failed to teach the claim limitation wherein based on the

activated application, said control unit controls the communication unit to receive the

content data from the portable device.

       However, Johnson teaches the limitation wherein based on the activated

application, said control unit controls the communication unit to receive the content data

from the portable device (Johnson, page 3, paragraph 35; i.e., initiating and controlling

downloading information).

       It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

30.   As to claim 63, Uyehara teaches the information processing apparatus as recited

in claim 50. But Uyehara failed to teach the claim limitation wherein said

communication unit is Universal Serial Bus (USB).

       However, Johnson teaches the limitation wherein said communication unit is

Universal Serial Bus (USB) (Johnson, page 6, paragraph 52; i.e., including the USB

connection).

       It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

31.   As to claim 66, Uyehara teaches the information processing apparatus as recited

in claim 50. But Uyehara failed to teach the claim limitation wherein said content data is

music data.

However, Johnson teaches the limitation wherein said content data is music data

(Johnson, page 7, paragraph 58; i.e., including music data).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

32.   As to claim 67, Uyehara teaches the information processing apparatus as recited

in claim 50. But Uyehara failed to teach the claim limitation wherein the predetermined

application is configured to organize the content data stored in the information

processing apparatus.

However, Johnson teaches the limitation wherein the predetermined application

is configured to organize the content data stored in the information processing

apparatus (Johnson, page 10, paragraph 85; i.e., categorized the content data).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

categorized the web-based information. One would be motivated to do so to allow a

user to specify the particular content or downloaded content for later playback (see
Johnson; page 1, paragraph 8)

33.   As to claim 72, Uyehara teaches the computer-readable storage medium as
recited in claim 68. But Uyehara failed to teach the claim limitation wherein based on
the activated application, extracting, by said control unit, the content data to be
transferred from the information processing apparatus in accordance with a
predetermined condition.

        However, Johnson teaches the limitation wherein based on the activated
application, extracting, by said control unit, the content data to be transferred from the
information processing apparatus in accordance with a predetermined condition
(Johnson, page 3, paragraph 36; i.e., extract web base information).

        It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Uyehara in view of Johnson so that the system would be able to
extract the web-based information. One would be motivated to do so to allow a user to
specify the particular content or downloaded content for later playback (see Johnson;
page 1, paragraph 8)

34.   As to claim 73, Uyehara and Johnson teach the computer-readable storage
medium as recited in claim 72, wherein the predetermined condition is related to
associated information of the content data (Uyehara, col 3, lines 40-55; i.e., setting a
preferable condition).

35.   As to claim 74, Uyehara and Johnson teach the computer-readable storage medium as recited in claim 72, wherein the predetermined condition is random (Uyehara, col 4, lines 46-50; i.e., retrieving free subscription tiles automatically).

36.   As to claim 75, Uyehara and Johnson teach the computer-readable storage medium as recited in claim 72, wherein the predetermined condition is stored in the portable device (Uyehara, col 4, lines 46-50; i.e., based on user's profile).

37.   As to claim 76, Uyehara teaches the computer-readable storage medium as recited in claim 68. But Uyehara failed to teach the claim limitation wherein based on the activated application, controlling, by said control unit, a reading unit to read content data from a Compact Disc (CD), controlling, by said control unit, a compression of the read content data, and storing, by said control unit, the compressed content data into the information processing apparatus.

However, Johnson teaches the limitation wherein based on the activated application, controlling, by said control unit, a reading unit to read content data from a Compact Disc (CD) (Johnson, page 4, paragraph 11; i.e., including CD), controlling, by said control unit, a compression of the read content data (Johnson, page 2, paragraph 13; i.e., compress data), and storing, by said control unit, the compressed content data into the information processing apparatus (Johnson, page 2, paragraph 13; i.e., stores compress data).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uyehara in view of Johnson so that the system would be able to extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

38.   As to claim 77, Uyehara and Johnson teach the computer-readable storage

medium as recited in claim 76 wherein based on the activated application, controlling,

by said control unit, the communication unit to transfer the compressed content data to

the portable device without regard to a user input (Uyehara, figure 16; i.e., transferring

content using multiple techniques).

39.   As to claim 80, Uyehara teaches the computer-readable storage medium as

recited in claim 70. But Uyehara failed to teach the claim limitation wherein based on

the activated application, controlling, by said control unit, the communication unit to

receive the content data from the portable device.

However, Johnson teaches the limitation wherein based on the activated

application, controlling, by said control unit, the communication unit to receive the

content data from the portable device (Johnson, page 3, paragraph 35; i.e., initiating

and controlling downloading information).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

extract the web-based information. One would be motivated to do so to allow a user to

specify the particular content or downloaded content for later playback (see Johnson;

page 1, paragraph 8)

40.   As to claim 81, Uyehara teaches the computer-readable storage medium as recited in claim 68. But Uyehara failed to teach the claim limitation wherein said communication unit is Universal Serial Bus (USB).

However, Johnson teaches the limitation wherein said communication unit is Universal Serial Bus (USB) (Johnson, page 6, paragraph 52; i.e., including the USB connection).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uyehara in view of Johnson so that the system would be able to extract the web-based information. One would be motivated to do so to allow a user to specify the particular content or downloaded content for later playback (see Johnson; page 1, paragraph 8)

41.   As to claim 84, Uyehara teaches the computer-readable storage medium as recited in claim 68. But Uyehara failed to teach the claim limitation wherein said content data is music data.

However, Johnson teaches the limitation wherein said content data is music data (Johnson, page 7, paragraph 58; i.e., including music data).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uyehara in view of Johnson so that the system would be able to extract the web-based information. One would be motivated to do so to allow a user to specify the particular content or downloaded content for later playback (see Johnson; page 1, paragraph 8)

42.   As to claim 85, Uyehara teaches the computer-readable storage medium as

recited in claim 68. But Uyehara failed to teach the claim limitation wherein the

predetermined application is configured to organize the content data stored in the

information processing apparatus.

However, Johnson teaches the limitation wherein the predetermined application

is configured to organize the content data stored in the information processing

apparatus (Johnson, page 10, paragraph 85; i.e., categorized the content data).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Uyehara in view of Johnson so that the system would be able to

categorized the web-based information. One would be motivated to do so to allow a

user to specify the particular content or downloaded content for later playback (see

Johnson; page 1, paragraph 8)

Response to Arguments

Applicant's arguments with respect to claims 50-86 have been considered but are moot

in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thuong (Tina) T. Nguyen whose telephone number is

(571)272-3864, and the fax number is 571-273-3864. The examiner can normally be

reached on 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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/Thuong T Nguyen/
Examiner, Art Unit 2455

/saleh najjar/
Supervisory Patent Examiner, Art Unit 2455